



# TOWN OF PLYMOUTH

26 Court Street  
Plymouth, Massachusetts 02360  
(508) 747-1620

December 5, 2018

The Honorable Ajit Pai, Chairman  
The Honorable Michael O'Rielly, Commissioner  
The Honorable Brendan Carr, Commissioner  
The Honorable Jessica Rosenworcel, Commissioner

Chairman  
Federal Communications Commission  
455 12<sup>th</sup> Street, Southwest  
Washington, DC, 20544

Dear Chairman Pai:

We write to support the Comments of Massachusetts Community Media, Inc. (MassAccess) and to disapprove of the proposals and tentative conclusions set forth in the FCC's September 25 Further Notice of Proposed Rule Making in *Implementation of Section 621(a)(1) of the Cable Communications Policy Act of 1984 as Amended by the Cable Television Consumer Protection and Competition Act of 1992*, MB Docket 05- 311.

The Town of Plymouth and PACTV have over 20 years of history providing Public and Government Access to our residents, business and elected officials. The PEG funding also supports our robust EDTV program in our school system. These relationships are positive, informative, engaging and necessary.

We support comments made by MassAccess, especially the following:

- The FCC lacks authority to impair private franchise contracts
- Section 622 of the Cable Act defines "Franchise Fees" and the FCC has no right to redefine
- Any attempt to redefine "Franchise Fees" weakens the authority of local municipalities
- The rulemaking invents "Cable-Related In-kind Contributions and "Fair Market Valuation" where there is no precedent
- Section 622 of the Cable Act states that "[a]ny Federal agency may not regulate the amount of the franchise fees paid by a cable operator."]

Community media stations allow the residents of Plymouth to watch and create uniquely local programming about their community and local events and issues of interest to them. Such was the intent of the PEG provisions of the 1984 Cable Act – to enhance local voices, serve local

community needs and interests, and strengthen our local democracy. By defining "franchise fee" in an overly broad fashion to include "in-kind" support, the FCC's proposals will shift the fair balance between cable franchising authorities and cable operators and will force communities to choose between franchise fees and PEG channels, – something that was never the intent of the Act.

We appreciate your consideration and hope you will protect PEG channels in our community and others by choosing not to adopt many of the proposals in the Further Notice.

Sincerely,

A handwritten signature in blue ink, appearing to read "Melissa Arrighi", is written over the printed name.

Melissa Arrighi  
Town Manager